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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/674,568	09/29/2003	Matthew Fenton Davis	6716/ETCH/SILICON	3852
44257 7590 07/13/2009 PATTERSON & SHERIDAN, LLP - - APPM/TX 3040 POST OAK BOULEVARD, SUITE 1500 HOUSTON, TX 77056				
EXAMINER				
KACKAR, RAM N				
ART UNIT		PAPER NUMBER		
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte

MATTHEW FENTON DAVIS and JOHN M. YAMARTINO

Application 10/674,568
Technology Center 1700

Mailed: July 13, 2009

Before JOYCE GUNTER-RILEY, Review Paralegal
GUNTER-RILEY, Review Paralegal

ORDER RETURNING UNDOCKETED APPEAL

This application was electronically received by the Board of Patent Appeals and Interferences on July 07, 2009. A review of the application revealed that it is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner to address the following matter(s) requiring attention prior to docketing.

EXAMINER'S CONSIDERATION OF REPLY BRIEF

A Reply Brief was filed in this application on June 03, 2009. There is no evidence on the record indicating that the Examiner has considered the Reply Brief in accordance with 37 CFR CFR § 41.43(a)(1) and MPEP § 1208, part II.

CONCLUSION

Accordingly, it is ORDERED that the application is returned to the Examiner:

- 1) consider the Reply Brief filed June 3, 2009 as indicated above;
- 2) for such further consideration

If there are any questions pertaining to this Order, please contact the
Board of Patent Appeals and Interferences at 571-272-9797

/jgr/

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